

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MAKETA S. JOLLY,

Plaintiff,

-v-

1:21-CV-621

EXCELSIOR COLLEGE *et al.*,

Defendants.

APPEARANCES:

MAKETA S. JOLLY
Plaintiff, Pro Se
42 Kingston Terrace
Aston, PA 19014

OF COUNSEL:

DAVID N. HURD
United States District Judge

ORDER ON REPORT & RECOMMENDATION

On May 13, 2021, *pro se* plaintiff Maketa S. Jolly (“plaintiff”) filed this action in the U.S. District Court for the Eastern District of New York. Dkt. No. 1. After the action was transferred to this judicial district, plaintiff filed an amended pleading and an application for leave to proceed *in forma pauperis* (“IFP application”). Dkt. Nos. 5, 7.¹

¹ Plaintiff also filed a motion to “change judges,” Dkt. No. 8, which was denied by text order on July 6, 2021, Dkt. No. 9.

On October 12, 2021, U.S. Magistrate Judge Thérèse Wiley Dancks granted plaintiff's IFP application and advised by Report & Recommendation ("R&R") that plaintiff's amended complaint be dismissed without leave to amend. Dkt. No. 12. Plaintiff has filed objections. Dkt. No. 14. Upon *de novo* review of the portions to which plaintiff has objected, the R&R will be accepted and adopted in all respects. *See* 28 U.S.C. § 636(b)(1)(C).

Therefore, it is

ORDERED that

1. The Report & Recommendation is ACCEPTED.

IT IS SO ORDERED.

Dated: November 3, 2021
Utica, New York.



David N. Hurd
U.S. District Judge